

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

NATIONAL RIFLE ASSOCIATION OF AMERICA,	§	
	§	
	§	
Plaintiff and Counter-Defendant	§	
	§	
and	§	
	§	
WAYNE LAPIERRE,	§	
	§	Civil Action No. 3:19-cv-02074-G
Third-Party Defendant,	§	
	§	
v.	§	
	§	
ACKERMAN MCQUEEN, INC.,	§	
	§	
Defendant and Counter-Plaintiff,	§	
	§	
MERCURY GROUP, INC., HENRY MARTIN, WILLIAM WINKLER, MELANIE MONTGOMERY, and JESSE GREENBERG,	§	
	§	
Defendants.	§	
	§	

MOTION TO ENTER PROPOSED PROTECTIVE ORDER FOR NON-PARTIES

Plaintiff National Rifle Association of America (the “NRA”) hereby files, through the undersigned counsel, the instant Motion to Enter Proposed Protective Order For Non-Parties (the “Order”) pursuant to Federal Rule of Civil Procedure 26(c). The NRA has issued several subpoenas for the production of documents to non-parties in this case and anticipates taking deposition testimony of some of those parties. One non-party, Performance Improvement Partners, LLC (“PIP”), has indicated that it intends to comply with the subpoena issued to it and to produce relevant and responsive documents, but also anticipates that disclosure of its materials and discovery activity in this case are likely to involve the production of confidential, proprietary, or

private information for which special protection from public disclosure may be warranted. The NRA acknowledges that the information produced by PIP could very well be of a confidential nature and need protection from disclosure. Accordingly, the NRA and PIP have agreed to, and the NRA petitions the Court to enter, the Order to allow PIP and other non-parties the ability to designate discovery materials confidential, if appropriate. In addition, the NRA foresees that other non-parties may need to avail themselves of the confidentiality protections provided by this Order, if appropriate, and the Order authorizes them to do so. The Order further provides that counsel for Defendants may obtain access to the materials produced by non-parties on the same terms and conditions as set forth in the Order. Defendants have informed the NRA that they oppose entry of this Order.

WHEREFORE, for good cause shown in the instant Motion and proposed Order submitted to the Court, the NRA as relief respectfully requests that the Court enter the Proposed Protective Order For Non-Parties.

Dated: February 11, 2020

Respectfully submitted,

**BREWER, ATTORNEYS &
COUNSELORS**

By: /s/ Jason C. McKenney
Michael J. Collins
State Bar No. 00785493
mjc@brewerattorneys.com
Jason C. McKenney
State Bar No. 24070245
jcm@brewerattorneys.com

1717 Main Street, Suite 5900
Dallas, Texas 75201
Telephone: (214) 653-4000
Facsimile: (214) 653-1015

**ATTORNEYS FOR THE PLAINTIFF-
COUNTER-DEFENDANT NATIONAL
RIFLE ASSOCIATION OF AMERICA**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was electronically served via the Court's electronic case filing system upon all counsel of record on this 11th day of February 2020

/s/ Jason McKenney
Jason McKenney